

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Ernest Brian Hardwick and Cheryl M. Hardwick <div style="text-align: right;">Debtor(s).</div>)))))) X	Case No. 21-21380-JAD Chapter 13 Related to Docs. #2 and 21
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ORDER OF COURT
(Check Boxes That Apply)

- | | |
|--|--|
| <input type="checkbox"/> Confirming Plan on Final Basis | <input checked="" type="checkbox"/> Chapter 13 Plan dated:
June 9, 2021 |
| <input checked="" type="checkbox"/> Authorizing Distributions Under Plan
On Interim Basis Solely as Adequate
Protection | <input type="checkbox"/> Amended Chapter 13 dated:
_____ |

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least ____ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☒ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
*Pa Department of Revenue claim #2-2
- ☒ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
*Hyundai Capital America claim #5-2

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
-
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
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- ☐ K. Additional Terms and Conditions:

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.


E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 7/13/2021


United States Bankruptcy Judge ^{sjk}
Jeffery A. Deller

cc: All Parties in Interest to be served by Clerk

In re:
Ernest Brian Hardwick
Cheryl M. Hardwick
Debtors

Case No. 21-21380-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 13, 2021

User: dpas
Form ID: pdf900

Page 1 of 3
Total Noticed: 52

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 15, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Ernest Brian Hardwick, Cheryl M. Hardwick, 2266 Linwood Dr., Allison Park, PA 15101-3537
cr	+ Peoples Natural Gas Company LLC, GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101
15384413	Advanced Diagnostic Path Assoc, 5700 Southwyck Blvd, Toledo, OH 43614-1509
15384414	+ Allegheny Health Network, PO Box 645266, Pittsburgh, PA 15264-5250
15384415	+ Allegheny Health Network, 8686 New Trails Dr, Suite 100, The Woodlands, TX 77381-1195
15384421	+ County of Allegheny, Jordan Tax Service, Inc., 102 Rahway Road, McMurray, PA 15317-3349
15384428	+ EnerBankUSA, 1245 Brickyard Road, Suite 600, Salt Lake City, UT 84106-2562
15384429	+ Hand and Upper Ex Center, 6001 Stonewood Drive, Wexford, PA 15090-7380
15384432	Jordan Tax Service, Inc., P.O. Box 200, Bethel Park, PA 15102-0200
15384442	Quest Diagnostics, PO Box 740717, Cincinnati, OH 45274-0717
15384450	+ Township of Hampton, Jordan Tax Service, Inc., 102 Rahway Road, McMurray, PA 15317-3349
15384452	+ United Collection Bureau, Inc., 5620 Southwyck Blvd Ste 206, Toledo, OH 43614-1501
15389331	Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
15384455	+ Wells Fargo/Furniture Marketing Group, Attn: Bankruptcy, PO Box 10438 Mac F8235-02f, Des Moines, IA 50306-0438
15384456	Western PA Surgery Center, 6001 Stonewood Dr, Wexford, PA 15090-7380
15384457	Wexford Anesthesia Associates, 6001 Stonewood Dr, Wexford, PA 15090-7380

TOTAL: 16

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: kburkley@bernsteinlaw.com	Jul 13 2021 23:14:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15384416	+ Email/Text: bankruptcy@acbhq.com	Jul 13 2021 23:14:00	American Credit Bureau, Inc., 1200 North Federal Highway, Suite 200, Boca Raton, FL 33432-2813
15384418	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 13 2021 23:25:30	Citibank, Citicorp Credit Svcs/Centralized Bk dept, PO Box 790034, St Louis, MO 63179-0034
15384419	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 13 2021 23:25:44	Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bk dept, PO Box 790034, St Louis, MO 63179-0034
15384420	+ Email/Text: mediamanagers@clientservices.com	Jul 13 2021 23:14:00	Client Services, Inc., 3451 Harry S. Truman Blvd, Saint Charles, MO 63301-9816
15384422	+ Email/Text: bankruptcy_notifications@ccsusa.com	Jul 13 2021 23:14:00	Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679
15384423	+ Email/Text: clientservices@credit-control.com	Jul 13 2021 23:14:00	Credit Control, LLC, 5757 Phantom Dr Ste 330, Hazelwood, MO 63042-2429
15384426	Email/Text: bdsupport@creditmanagementcompany.com	Jul 13 2021 23:14:00	Credit Management Company, PO Box 16346, Pittsburgh, PA 15242-0346
15384424	+ Email/Text: bdsupport@creditmanagementcompany.com	Jul 13 2021 23:14:00	Credit Management Company, Attn: Bankruptcy, 2121 Noblestown Road, Pittsburgh, PA 15205-3956

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15384425	+ Email/Text: bdsupport@creditmanagementcompany.com	Jul 13 2021 23:14:00	Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956
15385837	Email/Text: mrdiscen@discover.com	Jul 13 2021 23:14:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15384427	+ Email/Text: mrdiscen@discover.com	Jul 13 2021 23:14:00	Discover Financial, Attn: Bankruptcy, PO Box 3025, New Albany, OH 43054-3025
15386128	+ Email/Text: Hcabankruptcy-courtntices@hcamerica.com	Jul 13 2021 23:14:00	HYUNDAI CAPITAL AMERICA DBA, HYUNDAI MOTOR FINANCE, PO BOX 20809, FOUNTAIN VALLEY, CA 92728-0809
15384430	+ Email/Text: Hcabankruptcy-courtntices@hcamerica.com	Jul 13 2021 23:14:00	Hyundai Motor Finance, Attn: Bankruptcy, PO Box 20829, Fountain Valley, CA 92728-0829
15384431	Email/Text: sbse.cio.bnc.mail@irs.gov	Jul 13 2021 23:14:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15384417	Email/PDF: ais.chase.ebn@americaninfosource.com	Jul 13 2021 23:25:42	Chase Card Services, Attn: Bankruptcy, PO Box 15298, Wilmington, DE 19850
15384433	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Jul 13 2021 23:14:00	KeyBank/US Bank, Attn: Bankruptcy, 4910 Tiedeman Road, Cleveland, OH 44144-2338
15384434	+ Email/Text: PBNCNotifications@peritussservices.com	Jul 13 2021 23:14:00	Kohls/Capital One, Attn: Credit Administrator, PO Box 3043, Milwaukee, WI 53201-3043
15385442	Email/PDF: resurgentbknofications@resurgent.com	Jul 13 2021 23:25:29	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15384435	+ Email/PDF: resurgentbknofications@resurgent.com	Jul 13 2021 23:25:36	LVNV Funding, LLC, c/o Resurgent Capital, 55 Beattie Place, Suite 110, Greenville, SC 29601-5115
15384436	Email/Text: paul@ndcupa.org	Jul 13 2021 23:14:00	North Districts Community Credit Union, 5321 WM. Flynn Hwy, Gibsonia, PA 15044-9639
15384438	Email/Text: Bankruptcy.Notices@pnc.com	Jul 13 2021 23:14:00	PNC Bank, Attn: Bankruptcy, Mailstop Br-Yb58-01-5, PO Box 94982, Cleveland, OH 44101
15384439	Email/Text: Bankruptcy.Notices@pnc.com	Jul 13 2021 23:14:00	PNC Bank, PO Box 1820, Dayton, OH 45401-1820
15384440	Email/Text: Bankruptcy.Notices@pnc.com	Jul 13 2021 23:14:00	PNC Mortgage, Attn: Bankruptcy, PO Box 8819, Dayton, OH 45401
15384437	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jul 13 2021 23:14:00	Pennsylvania Department of Revenue, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15384441	+ Email/Text: BankruptcyMail@questdiagnostics.com	Jul 13 2021 23:14:00	Quest Diagnostics, 3 Giralda Farms, Madison, NJ 07940-1027
15384444	Email/Text: amieg@stcol.com	Jul 13 2021 23:14:00	State Collection Service, Inc., 2509 S. Stoughton Rd, Madison, WI 53716
15384443	Email/Text: courts@scott-pc.com	Jul 13 2021 23:14:00	Scott & Associates PC, PO Box 115220, Carrollton, TX 75011-5220
15384445	+ Email/PDF: gecsed@recoverycorp.com	Jul 13 2021 23:25:26	Synchrony Bank/Dick's Sporting Goods, Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
15384446	+ Email/PDF: gecsed@recoverycorp.com	Jul 13 2021 23:25:33	Synchrony Bank/Levin Furniture, Attn: Bankruptcy, PO Box 965060, Orlando, FL 32896-5060
15384447	+ Email/PDF: gecsed@recoverycorp.com	Jul 13 2021 23:25:40	Synchrony Bank/Lowes, Attn: Bankruptcy, PO Box 965060, Orlando, FL 32896-5060
15384448	+ Email/PDF: gecsed@recoverycorp.com	Jul 13 2021 23:25:26	Synchrony Bank/Stein Mart, Attn: Bankruptcy Dept, PO Box 965061, Orlando, FL 32896-5061
15384449	+ Email/PDF: gecsed@recoverycorp.com		

District/off: 0315-2

User: dpas

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		Jul 13 2021 23:25:26	Synchrony Bank/TJX, Attn: Bankruptcy Dept, PO Box 965064, Orlando, FL 32896-5064
15384451	+ Email/Text: bankruptcydepartment@tsico.com	Jul 13 2021 23:14:00	Transworld Systems Inc., 2135 E Primrose Suite Q, Springfield, MO 65804-4598
15384453	+ Email/Text: BankruptcyNotice@upmc.edu	Jul 13 2021 23:14:00	UPMC, 2 Hot Metal Street, Dist. Room 386, Pittsburgh, PA 15203-2348
15384454	Email/Text: marsh@weinsteinimaging.com	Jul 13 2021 23:13:00	Weinstein Imaging Associates, Manor Oak Two, 1910 Cochran Road, Suite 740, Pittsburgh, PA 15220-1213

TOTAL: 36

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PNC BANK, NATIONAL ASSOCIATION
15385752	*+	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946

TOTAL: 1 Undeliverable, 1 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 15, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 13, 2021 at the address(es) listed below:

Name	Email Address
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Maria Miksich	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION mmiksich@kmlawgroup.com
Mark G. Moynihan	on behalf of Joint Debtor Cheryl M. Hardwick mark@moynihanlaw.net moynihan.mark@gmail.com;moynihanmr71581@notify.bestcase.com
Mark G. Moynihan	on behalf of Debtor Ernest Brian Hardwick mark@moynihanlaw.net moynihan.mark@gmail.com;moynihanmr71581@notify.bestcase.com
Office of the United States Trustee	ustregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 7